

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

PX-PARTNERS INC., a Nebraska  
corporation, f/k/a PRESTO-X  
COMPANY,

Plaintiff,

v.

THOMAS R. MOHR,

Defendant.

Case No. 8:07cv398

**ORDER OF DISMISSAL  
(WITHOUT PREJUDICE)**

Pursuant to the Stipulation of the parties hereto, and the Court being fully advised, the Court finds as follows:

1. The Parties have entered into a Settlement Agreement ("Agreement"), dated March 6, 2008, and the Parties have presented this to the Court for *in camera* inspection. The Agreement will not be filed, as such, with the Clerk of the District Court; notwithstanding, the Parties agree to carry out the terms of the Agreement.

2. The terms of the Agreement shall supersede the pleadings filed herein and the Parties' sole right of redress will be to file a motion to reopen proceedings and seek specific enforcement of the Agreement.

3. The above-captioned action shall be dismissed, without prejudice, subject to the right of the Parties to the Agreement to seek specific enforcement, if necessary, of the Agreement, through this Court.

IT IS SO ORDERED.

DATED this 13<sup>th</sup> day of March, 2008.

BY THE COURT:

s/ Joseph F. Bataillon  
U.S. District Judge